

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

MARIA LOUISE PAULSON
905 Brickell Bay Drive, #730
Miami, FL 33131

Registered Nurse License No. 403186

Respondent

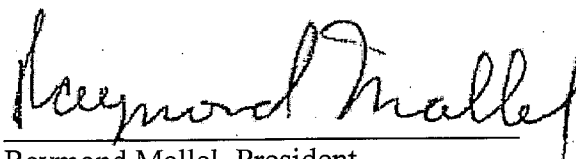
Case No. 2012-467

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary order for Public Reprimand is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **December 6, 2012.**

IT IS SO ORDERED **November 6, 2012.**



Raymond Mallel, President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 ANAHITA S. CRAWFORD
Deputy Attorney General
4 State Bar No. 209545
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 322-8311
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2012-467

13 **MARIA LOUISE PAULSON**

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPROVAL**

14 **905 Brickell Bay Drive, #730**

Miami, FL 33131

15 **Registered Nurse License No. 403186**

[Bus. & Prof. Code § 495]

16 Respondent.

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
18 entitled proceedings that the following matters are true:
19

20 **PARTIES**

21 1. LOUISE R. BAILEY, M.ED., RN (Complainant) is the Interim Executive Officer of
22 the Board of Registered Nursing. She brought this action solely in her official capacity and is
23 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
24 Anahita S. Crawford, Deputy Attorney General.

25 2. Respondent Maria Louise Paulson (Respondent) is representing herself in this
26 proceeding and has chosen not to exercise her right to be represented by counsel.

27 //

28 //

1 3. On or about August 31, 1986, the Board of Registered Nursing issued Registered
2 Nurse License No. 403186 to Maria Louise Paulson (Respondent). The Registered Nurse License
3 was in full force and effect at all times relevant to the charges brought in Accusation No. 2012-
4 467 and will expire on September 30, 2012, unless renewed.

5 **JURISDICTION**

6 4. Accusation No. 2012-467 was filed before the Board of Registered Nursing (Board),
7 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation
8 and all other statutorily required documents were properly served on Respondent on February 22,
9 2012. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of
10 Accusation No. 2012-467 is attached as exhibit A and incorporated herein by reference.

11 **ADVISEMENT AND WAIVERS**

12 5. Respondent has carefully read, and understands the charges and allegations in
13 Accusation No. 2012-467. Respondent has also carefully read, and understands the effects of this
14 Stipulated Settlement and Disciplinary Order for Public Reproval.

15 6. Respondent is fully aware of her legal rights in this matter, including the right to a
16 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at
17 her own expense; the right to confront and cross-examine the witnesses against her; the right to
18 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
19 compel the attendance of witnesses and the production of documents; the right to reconsideration
20 and court review of an adverse decision; and all other rights accorded by the California
21 Administrative Procedure Act and other applicable laws.

22 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
23 every right set forth above.

24 **CULPABILITY**

25 8. Respondent admits the truth of each and every charge and allegation in Accusation
26 No. 2012-467.

27 //

28 //

9. Respondent agrees that her Registered Nurse License is subject to discipline and she agrees to be bound by the Board of Registered Nursing's probationary terms as set forth in the Disciplinary Order below.

CIRCUMSTANCES IN MITIGATION

10. Respondent Maria Louise Paulson has never been the subject of any disciplinary action. She is admitting responsibility at an early stage in the proceedings.

CONTINGENCY

11. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order for Public Reproval shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order for Public Reproval, including facsimile signatures thereto, shall have the same force and effect as the originals.

13. This Stipulated Settlement and Disciplinary Order for Public Reproval is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order for Public Reproval may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

//

1 14. In consideration of the foregoing admissions and stipulations, the parties agree that
2 the Board may, without further notice or formal proceeding, issue and enter the following
3 Disciplinary Order:

4 **DISCIPLINARY ORDER**

5 IT IS HEREBY ORDERED that Registered Nurse License No. 403186 issued to
6 Respondent Maria Louise Paulson (Respondent) shall, by way of letter from the Board's
7 Executive Officer, be publicly reprovved. The letter shall be in the same form as the letter attached
8 as Exhibit B to this stipulation.

9 IT IS FURTHER ORDERED Respondent shall pay to the Board costs associated with its
10 investigation and enforcement pursuant to Business and Professions Code Section 125.3 in the
11 amount of \$1,120.00. Respondent shall be permitted to pay these costs in a payment plan
12 approved by the Board. If Respondent fails to pay the Board costs as ordered, Respondent shall
13 not be allowed to renew her Registered Nurse License until Respondent pays costs in full.

14 **ACCEPTANCE**

15 I have carefully read the Stipulated Settlement and Disciplinary Order for Public Repeval.
16 I understand the stipulation and the effect it will have on my Registered Nurse License. I enter
17 into this Stipulated Settlement and Disciplinary Order for Public Repeval voluntarily,
18 knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of
19 Registered Nursing.

20
21 DATED: 7/16/2012



22 MARIA LOUISE PAULSON
23 Respondent

24
25
26 ///

27 ///

28 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

Dated: 8.3.12

KAMALA D. HARRIS
Attorney General of California
JANICE K. LACHMAN
Supervising Deputy Attorney General

ANAGITA S. CRAWFORD
Deputy Attorney General
Attorneys for Complainant

5

Exhibit A

Accusation No. 2012-467

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 ANAHITA S. CRAWFORD
Deputy Attorney General
4 State Bar No. 209545
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 322-8311
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. **2012-467**

12 **MARIA PAULSON,**
13 **aka MARIA LOUISE PAULSON**
14 **905 Brickell Bay Drive, #730**
Miami, FL 33131
Registered Nurse License No. 403186

ACCUSATION

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing ("Board"),
21 Department of Consumer Affairs.

22 2. On or about August 31, 1986, the Board issued Registered Nurse License Number
23 403186 to Maria Paulson, also known as Maria Louise Paulson ("Respondent"). Respondent's
24 registered nurse license was in full force and effect at all times relevant to the charges brought
25 herein and will expire on September 30, 2012, unless renewed.

26 **STATUTORY PROVISIONS**

27 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that
28 the Board may discipline any licensee, including a licensee holding a temporary or an inactive

1 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing
2 Practice Act.

3 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
4 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
5 to render a decision imposing discipline on the license. Under Code section 2811, subdivision
6 (b), the Board may renew an expired license at any time within eight years after the expiration.

7 5. Code section 2761 states, in pertinent part:

8 The board may take disciplinary action against a certified or licensed
9 nurse or deny an application for a certificate or license for any of the following:

10 (a) Unprofessional conduct . . .

11

12 (f) Conviction of a felony or of any offense substantially related to the
13 qualifications, functions, and duties of a registered nurse, in which event the record of
14 the conviction shall be conclusive evidence thereof . . .

15 6. Code section 2762 states, in pertinent part:

16 In addition to other acts constituting unprofessional conduct within the
17 meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a
18 person licensed under this chapter to do any of the following:

19

20 (b) Use any controlled substance as defined in Division 10 (commencing
21 with Section 11000) of the Health and Safety Code, or any dangerous drug or
22 dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or
23 in a manner dangerous or injurious to himself or herself, any other person, or the
24 public or to the extent that such use impairs his or her ability to conduct with safety to
25 the public the practice authorized by his or her license.

26 (c) Be convicted of a criminal offense involving the prescription,
27 consumption, or self administration of any of the substances described in subdivisions
28 (a) and (b) of this section, or the possession of, or falsification of a record pertaining
to, the substances described in subdivision (a) of this section, in which event the
record of the conviction is conclusive evidence thereof . . .

7. Code section 2765 states:

A plea or verdict of guilty or a conviction following a plea of nolo
contendere made to a charge substantially related to the qualifications, functions and
duties of a registered nurse is deemed to be a conviction within the meaning of this
article. The board may order the license or certificate suspended or revoked, or may
decline to issue a license or certificate, when the time for appeal has elapsed, or the

1 judgment of conviction has been affirmed on appeal or when an order granting
2 probation is made suspending the imposition of sentence, irrespective of a subsequent
3 order under the provisions of Section 1203.4 of the Penal Code allowing such person
4 to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside
5 the verdict of guilty, or dismissing the accusation, information or indictment.

6 **COST RECOVERY**

7 8. Code section 125.3 provides, in pertinent part, that the Board may request the
8 administrative law judge to direct a licensee found to have committed a violation or violations of
9 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
10 enforcement of the case.

11 **FIRST CAUSE FOR DISCIPLINE**

12 **(Criminal Convictions)**

13 9. Respondent is subject to disciplinary action pursuant to Code section 2761,
14 subdivision (f), in that she was convicted of crimes which are substantially related to the
15 qualifications, functions, and duties of a registered nurse, as follows:

16 a. On or about July 1, 1998, in the criminal proceeding titled *People v. Maria Louise*
17 *Paulson* (Super. Ct. Orange County, 1998, Case No. SH98SM47435), Respondent pled guilty to
18 violating Vehicle Code section 23152, subdivision (a) (driving under the influence of alcohol
19 and/or drugs, a misdemeanor). The circumstances of the crime are as follows: On or about May
20 13, 1998, officers with the Orange County Sheriff's Department initiated a traffic stop on
21 Respondent's vehicle. One of the officers walked up to the vehicle. Respondent had her window
22 rolled down. The officer bent down to look inside the vehicle and immediately smelled a strong
23 odor of an alcoholic beverage coming from the vehicle's interior. The officer made contact with
24 Respondent, and observed that her eyes were bloodshot and watery and her eyelids were droopy.
25 Respondent was arrested for driving under the influence of alcohol and taken to jail. While en
26 route, Respondent appeared to doze off and urinated on herself and the seat of the officer's patrol
27 car. Later, Respondent underwent two breath tests. The test results showed that Respondent had
28 blood alcohol levels of 0.20 and 0.21 percent. Respondent was placed on 3 years of probation,
ordered to pay a fine and to attend a level II, 9 months first offender program. On or about
September 16, 1999, Respondent's probation was briefly revoked due to non-compliance with the

1 First Offender program. Respondent's probation was reinstated and later successfully terminated
2 on July 19, 2001.

3 b. On or about September 26, 2001, in the criminal proceeding titled *State of Iowa v.*
4 *Maria Louise Paulson* (Dist. Ct. Scott County, 2001, Case No. OWCR242759), Respondent pled
5 guilty to operating a motor vehicle while under the influence of alcohol and/or drugs. The
6 circumstances of the crime are as follows: On or about July 18, 2001, Officer Merritt with the
7 Bettendorf Police Department ("BPD") responded to the area of Forest Road and Locust Street to
8 provide back up to another officer. The officer reported that the driver of a vehicle with
9 Wisconsin plates had been drinking. Officer Merritt made contact with Respondent. Respondent
10 had a moderate scent of an alcoholic beverage on her breath, her eyes were bloodshot and watery,
11 and her speech was slurred. Officer Merritt had Respondent perform field sobriety tests. Later,
12 Respondent submitted to a breath test, which showed that she had a blood alcohol level of 0.142
13 percent. Officer Merritt transported Respondent to the BPD, where she underwent a second
14 breath test. The test results showed that Respondent had a blood alcohol level of 0.129 percent.
15 Respondent was placed on 1 year probation, fined, sentenced to 120 day jail with all but 2 days
16 suspended, and ordered to undergo a substance abuse evaluation and treatment if warranted.
17 Respondent was discharged from probation on or about March 1, 2002.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Use of Alcoholic Beverages to an Extent or in a Manner**

20 **Dangerous or Injurious to Oneself and the Public)**

21 10. Respondent is subject to disciplinary action pursuant to Code section 2761,
22 subdivision (a), on the grounds of unprofessional conduct, as defined by Code section 2762,
23 subdivision (b), in that on or about May 13, 1998, and July 18, 2001, Respondent used alcoholic
24 beverages to an extent or in a manner dangerous or injurious to herself and the public, as set forth
25 in paragraph 9 above.

26 //

27 //

28 //

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Convictions Related to the Consumption of Alcoholic Beverages)**

3 11. Respondent is subject to disciplinary action pursuant to Code section 2761,
4 subdivision (a), on the grounds of unprofessional conduct, as defined by Code section 2762,
5 subdivision (c), in that on or about July 1, 1998, and September 26, 2001, Respondent was
6 convicted of criminal offenses involving the consumption of alcoholic beverages, as set forth in
7 paragraph 9 above.

8 **PRAYER**

9 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
10 and that following the hearing, the Board of Registered Nursing issue a decision:

11 1. Revoking or suspending Registered Nurse License Number 403186, issued to Maria
12 Paulson, also known as Maria Louise Paulson;

13 2. Ordering Maria Paulson, also known as Maria Louise Paulson, to pay the Board of
14 Registered Nursing the reasonable costs of the investigation and enforcement of this case,
15 pursuant to Business and Professions Code section 125.3;

16 3. Taking such other and further action as deemed necessary and proper.

17
18 DATED: *February 22, 2012*

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

19
20
21
22
23
24
25
26
27 SA2011102871
28

Exhibit B

Letter of Public Reproval in Case No. 2012-467



STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN JR.

Board of Registered Nursing
P O Box 944210, Sacramento, CA 94244-2100
P (916) 322-3350 | www.rn.ca.gov
Louise R. Bailey, M.ED., RN, Executive Officer



November 6, 2012

Maria Louise Paulson
905 Brickell Bay Drive, #730
Miami, FL 33131

RE: LETTER OF PUBLIC REPROVAL
In the Matter of the Accusation Against:
Maria Louise Paulson, Registered Nurse License No. 403186

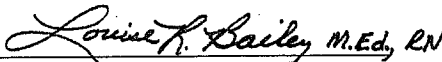
Dear Ms. Paulson:

On February 22, 2012, the Board of Registered Nursing, Department of Consumer Affairs, State of California, filed an Accusation against your Registered Nurse License. The Accusation alleged that you engaged in unprofessional conduct under Business and Professions Code section 2761, subdivision (f) for criminal convictions on July 1, 1998 and September 26, 2001; Business and Professions Code section 2761, subdivision (a) and 2762, subdivision (b) for use of alcoholic beverages in a dangerous manner and Business and Professions Code section 2761, subdivision (a) and 2762, subdivision (c) for convictions related to the consumption of alcoholic beverages.

Taking into consideration the offenses occurred in 1998 and 2001, well over 10 years ago, and that there are other mitigating circumstances in this case that support the determination that you are safe to practice registered nursing, the Board has decided that the charges warrant a public reproof. Mitigation and rehabilitative circumstance include the fact that you sought out once to twice per week counseling for 2½ years after your conviction, and that you successfully completed court mandated rehabilitative program(s).

Accordingly, in resolution of this matter under the authority provided under Business and Professions Code section 495, the Board of Registered Nursing, Department of Consumer Affairs issues this letter of public reproof.

Sincerely,


LOUISE R. BAILEY, M.ED., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California